IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWELFTH DAY OF JULY

TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 14315 of 2005

Between:

Chowderswari Devi Oriental High School, Rep. by its Correspondent Dr.G.Mohan @ G.Mohan Reddy, S/o.G.Subba Reddy R/o.Yarra Mukkala Palli, Cuddapah, Cuddapah District.

..... PETITIONER

AND

1 The Government of Andhra Pradesh,

rep., by its Prl., Secretary to Government,
School Education Department, Secretariat Buildings, Hyderabad.
2 The Chairman, State level standing Committee, Commissioner and Director of the School Education, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ order or direction more particularly a writ in the nature of Mandamus declaring the action of the respondents for not issuing no objection certificate to the petitioner society for establishment of Pandit Colleges Course both Telugu and Hindi at Kadapa District is illegal and arbitrary and consequently direct the 1st respondent to issue NO objection Certificate for establishment of Pandit colleges course both Telugu and Hindi at Kadapa district and to pass such other or further orders.

Counsel for the Petitioner : MR.S.GIRIMOJI RAO

Counsel for the Respondents.: GP FOR SCHOOL EDUCATION

The Court at the admission stage made the following :

O R D E R:

This Writ Petition is filed by the petitioner aggrieved by the inaction on the part of the respondents in not considering the application of the petitioner for issuing no objection certificate for establishment of Pandit Training Course, both Telugu and Hindu, at Kadapa district.

2. According to the petitioner, the petitioner-Society was registered under the Public Societies Registration Act with an intention to establish educational institutions for providing good educational facilities in the area. With the said intention, as the petitioner proposed to start an institution for providing College of Education, the petitioner made an application to the 1st respondent seeking no-objection certificate for obtaining permission from the National Council for Teacher Education. Though the said representation was made as early as on 10th September 2004, the respondents did not consider the same and pass any orders. Therefore, the petitioner is constrained to approach this Court.

3. At the time of hearing it is represented by the learned counsel for the petitioner that though the petitioner has made an application without there being any notification calling for the applications, but under almost identical circumstances where the other educational institutions have made their applications for the grant of no-objection certificate, the 1st respondent issued proceedings in G.O.Rt.No.1306, dated 14.11.2003 in favour of 'Cresent Educational Academy, Kuppam' granting no-objection certificate for establishing Hindi Pandit Training College at Kuppam. Similarly, by Proceedings in G.O.Ms.No.125, dated 17-10-2003, the 1st respondent also issued no-objection certificate for starting of Telugu Pandit Training College at Peddapally, Karimnagar district, in favour of 'Vani Educational Society, Peddapally,' for the academic year 2004-2005. As the petitioner is seeking identical relief, the inaction of the respondents is illegal and arbitrary, apart from discrimination. Hence, the learned counsel sought for appropriate directions to the respondents.

4. Heard the both sides and considered the material on record.

5. In view of the fact that the petitioner has made its application seeking no-objection certificate on par with some other educational institutions in whose favour the

Government has already passed orders, which are placed at Page Nos.10 and 11 of the material papers, it is appropriate to direct the respondents to consider the petitioner's application and pass appropriate orders expeditiously, preferably within a period of eight weeks from the date of receipt of a copy of the order.

6. The Writ Petition is disposed of accordingly. No costs.

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S.Ananda Reddy, J.

12…07…2005

Kvh

To

1 The Principal Secretary to Government,

School Education Department, Government of A.P.,

Secretariat Buildings, Hyderabad.

2 The Chairman, State level standing Committee, Commissioner and Director of the School Education, Hyderabad.

3) Two CCs to G.P., for School Education, High Court Buildings,

Hyderabad. (OUT)

4) 2 CD copies

5) 1 CC to MR.GIRIMOJI RAO

THE HON'BLE MR. JUSTICE S. ANANDA REDDY

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W.P. No. 14315 of 2005

O R D E R

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